

Senate Engrossed

State of Arizona  
Senate  
Forty-seventh Legislature  
First Regular Session  
2005

CHAPTER 37

# SENATE BILL 1138

AN ACT

AMENDING SECTION 9-500.02, ARIZONA REVISED STATUTES; RELATING TO LOCAL  
EMERGENCY MEDICAL ASSISTANCE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 9-500.02, Arizona Revised Statutes, is amended to  
3 read:

4 9-500.02. Emergency medical aid; assistance to other public  
5 bodies; limitation on liability

6 A. A city or town or its officers and employees, a private fire or  
7 ambulance company whose services are procured by a city or town or its  
8 officers and employees, or a property owner,— OR its officers or employees,  
9 or a tenant or a licensed health care provider as defined in section 12-561  
10 OR AN EMERGENCY MEDICAL TECHNICIAN CERTIFIED PURSUANT TO TITLE 36, CHAPTER  
11 21.1 who performs emergency medical aid, when rendering emergency medical aid  
12 provided by an emergency medical technician, an intermediate emergency  
13 medical technician or a paramedic who is certified by the director of the  
14 department of health services pursuant to section 36-2205, is not liable for  
15 civil or other damages to the recipient of the emergency medical aid as the  
16 result of any act or omission in rendering such aid or as the result of any  
17 act or failure to act to provide or arrange for further medical treatment or  
18 care for the sick or injured person. This subsection does not apply if the  
19 person providing emergency medical aid is guilty of gross negligence or  
20 intentional misconduct. The immunity provided for in this subsection does  
21 not extend to an emergency medical technician, an intermediate emergency  
22 medical technician or a paramedic while operating a motor vehicle.

23 B. A city or town, an employee of a city or town or a licensed health  
24 care provider if requested by a public body to assist at a traffic accident  
25 on a public right-of-way or to render emergency aid at an emergency  
26 occurrence outside of the corporate limits of such city or town is not liable  
27 for any civil or other damages as the result of any act or omission by the  
28 city or town or an employee of the city or town at the traffic accident,  
29 rendering emergency care or as the result of any act or failure to act to  
30 provide or arrange for further medical treatment or care for an injured  
31 person. This subsection does not apply if the city or town, an employee of  
32 the city or town or a licensed health care provider, while providing  
33 assistance at such a traffic accident, rendering such emergency care or  
34 acting or failing to act to provide such further medical treatment or care,  
35 is guilty of gross negligence.

36 C. ~~The provisions of This section shall~~ DOES not abrogate the right of  
37 an employee who is injured while performing services as provided in  
38 subsection A of this section to recover benefits for which ~~he~~ THE EMPLOYEE  
39 may be eligible under title 23, chapter 6 from the city or town.

40 D. ~~Nothing in This section limits~~ DOES NOT LIMIT a plaintiff's right  
41 to recover civil damages from any applicable uninsured motorist coverage or  
42 underinsured motorist coverage.

1       E. ~~The provisions of~~ This section ~~do~~ DOES not apply to services  
2 provided in an emergency room.

3       F. ~~The provisions of~~ This section apply APPLIES to all actions brought  
4 under sections 46-455 and 46-456, regardless of whether the action is brought  
5 by the recipient of the emergency medical aid or by some other authorized  
6 person, organization or governmental entity.

APPROVED BY THE GOVERNOR APRIL 5, 2005.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 5, 2005.

Passed the House March 29, 20 05,

by the following vote: 50 Ayes,

7 Nays, 3 Not Voting



Speaker of the House



Asst. Chief Clerk of the House

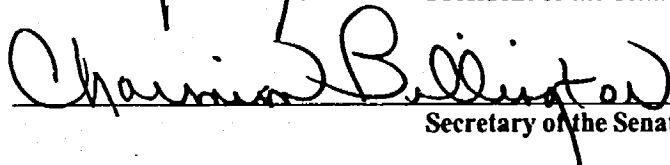
Passed the Senate February 22, 20 05,

by the following vote: 29 Ayes,

0 Nays, 1 Not Voting



President of the Senate



Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

30th day of March 20 05

at 1:41 o'clock P. M.

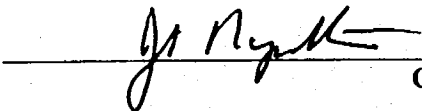


Secretary to the Governor

Approved this 5 day of

April, 20 05,

at 8<sup>20</sup> o'clock A. M.



Governor of Arizona

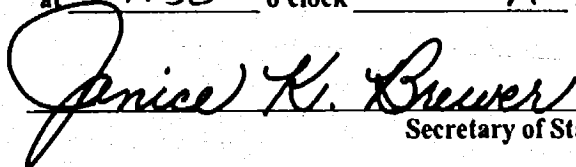
S.B. 1138

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 5 day of April, 20 05,

at 9:50 o'clock A. M.



Secretary of State